

(13) the permission regulation or prohibition of the use or occupation of any street or place by itinerant vendors or by any person for the sale of articles or the exercise of any calling or the setting up of any booth or stall, and the fees chargeable for such use or occupation;

(14) the regulation and control of encamping grounds, sarais, hotels, dakh-bangalows, lodging-houses, boarding-houses, buildings let in tenements, residential clubs, restaurants, eating-houses, cafes, refreshment-rooms, guest houses, holiday resorts, cinemas and places of public recreation, entertainment or resort;

(15) the regulation of the ventilation, lighting, cleansing, drainage and water supply of the buildings used for the manufacture or sale of aerated or other potable waters and of butter, milk, sweetmeats and other articles of food or drink for human consumption;

(16) the matters regarding which conditions may be imposed by licences granted under section 295 or section 277;

(17) the control and supervision of places where dangerous or offensive trades are carried on so as to secure cleanliness therein or to minimise any injurious, offensive or dangerous effects arising or likely to arise therefrom;

(18) the regulation of the erection of any enclosure, fence, tent, awning or other temporary structure of whatsoever material or nature on any land situated within the cantonment and the fees chargeable in respect thereof;

(19) the laying out of streets, and the regulation and prohibition of the erection of buildings without adequate provision being made for the laying out and location of streets;

(20) the form of and the particulars which shall be contained in a development scheme or an improvement scheme and the manner in which such scheme shall be framed or altered and levy of development charges;

(21) the regulation of the use of public parts and gardens and other public places, and the protection of avenues, trees, grass and other appurtenances of streets and other public places;

(22) the regulation of the grazing of animals and the fees chargeable in respect thereof;

(23) the fixing and regulation of the use of public bathing and washing places;

(24) the regulation of the posting of bills and advertisement, and of the position, size, shape or style or name-boards, sign-boards and sign-posts;

(25) the fixation of a method for the sale of articles whether by measure, weight, piece or any other method;

(26) the rendering necessary of licences within the cantonment for—

(a) persons working as job porters for the conveyance of goods;

(b) animals or vehicles let out on hire or used for hawking articles;

(c) the proprietors or drivers of vehicles, boards or other conveyances, or of animals kept or plying for hire or used for hawking articles;

(d) persons impelling or carrying such vehicles or other conveyances; or

(e) persons practising as nurses, midwives or *dais*;

(27) the prescribing of the fee payable for any licence required under clause (26), and of the conditions subject to which such licence may be granted, revised, suspended or withdrawn;

(28) the regulation of the charges to be made for the services of such job porters and of the hire of such animals, vehicles or other conveyances, and for the remuneration of persons impelling or carrying such vehicles or conveyances as are referred to in clause (26);

(29) the prescribing of fee payable for any licence except as otherwise specifically provided in the Act, sanction or for any written permission granted by the Chief Executive Officer;

(30) the regulation or prohibition, for purposes of sanitation or the prevention of disease or the promotion of public safety or convenience, of any act which occasions or is likely to occasion a nuisance, and for the regulation or prohibition of which no provision is made elsewhere by or under this Act;

(31) the circumstances and the manner in which owners of buildings or land in the cantonment, who are temporarily absent from, or are not resident in, the cantonment, may be required to appoint as their agents, for all or any of the purposes of this Act or any rule or bye-law made thereunder, persons residing within or near the cantonment;

(32) the prevention of the spread of infectious or contagious diseases within the cantonment;

(33) the segregation in, or the removal and exclusion from, the cantonment, or the destruction, of animals suffering from or reasonably suspected to be suffering from any infectious or contagious disease;

(34) the supervision, regulation, conservation and protection from injury, contamination or trespass of sources and means of public water-supply and of appliances for the distribution of water whether within or without the limits of the cantonment;

(35) the manner in which connections with water-works may be constructed or maintained, and the agency which shall or may be employed for such construction and maintenance;

(36) the regulation of all matters and things relating to the supply and use of water including the collection and recovery of charges therefor and the prevention of evasion of the same;

(37) the maintenance of schools, and the furtherance of education generally;

(38) the regulation or prohibition of the cutting or destruction of trees or shrubs, or of the making of excavations, or of the removal of soil or quarrying, where such regulation or prohibition appears to the Board to be not prejudicial to the maintenance of ecological balance and to be necessary for the maintenance of a water-supply, the preservation of the soil, the prevention of landscape or of the formation of ravines or torrents, or the protection of land against erosion, or against the deposit thereon of sand, gravel or stones;

(39) the rendering necessary of licences for the use of premises within the cantonment as the stables, kennels, sites or cowhouses or as accommodation for sheep, goats or fowls;

(40) the control of the use in the cantonment of mechanical whistles, sirens or trumpets;

(41) the regulation of supply of copies of official document and prescribing the fee payable in respect thereof;

(42) the regulation of permission for granting licence for use of loud-speakers and prescribing the fee payable in respect thereof;

(43) the conservation and maintenance of ancient and histrocial monuments, archeological sites and remains or place of public importance in the cantonment; and

(44) generally for the regulation of the administration of the cantonment under this Act.

349. *Penalty for breach of bye-laws.*—(1) Any bye-law made by a Board under this Act may provide that a contravention thereof shall be punishable—

(a) with fine which may extend to five thousand rupees; or

(b) with fine which may extend to five thousand rupees and, in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention; or

(c) with fine which may extend to one hundred fifty rupees for every day during which the contravention continues after the receipt of a notice from the Board or Chief Executive Officer by the person contravening the bye-law requiring such person to discontinue such contravention.

(2) Any such bye-law may also provide that a person contravening the same shall be required to remedy, so far as lies in his power, the damage or mischief, if any, caused by such contravention.

350. *Supplemental provisions regarding bye-laws and regulations.*—(1) Any power to make bye-laws conferred by this Act is conferred subject to the conditions of bye-laws being made after previous publication and of their not taking effect until they have been approved and confirmed by the Central Government and published in the Official Gazette.

(2) The Central Government in confirming a bye-law may make any change therein which appears to it to be necessary.

(3) The Central Government may, after previous publication of its intention, cancel any bye-law which it has confirmed, and thereupon the bye-law shall cease to have effect.

(4) Every bye-law and Regulation made under this Act and every order made under sub-section (3) shall be laid as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the bye-law and regulation, or order or both houses agree that the bye-law and Regulation, or order should not be made, the bye-law and Regulation, or order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that bye-law and Regulation or order.

351. *Rules and bye-laws to be available for inspection and purchase.*—(1) A copy of all rules and bye-laws made under this Act shall be kept at the office of the Board and shall, during office hours, be open free of charge to inspection by any inhabitant of the cantonment.

(2) Copies of all such rules and bye-laws shall be kept at the office of the Board and shall be sold to the public at cost price singly, or in collection at the option of the purchaser.

CHAPTER XVII

SUPPLEMENTAL PROVISIONS

352. *Extension of certain provisions of the Act and rules to place beyond cantonments.*—The Central Government may, by notification in the Official Gazette, and subject to any conditions as to compensation or otherwise which thinks fit to impose, extend to any area beyond a cantonment and in the vicinity thereof, with or without restriction or modification, any of the provisions of Chapters VIII to XV or of any rule or bye-law made under this Act for the cantonment which relates to the subject-matter of any of those Chapters, and every enactment, rule or bye-law so extended shall thereupon apply to that area as if the area were included in the cantonment.

353. *Power to delegate functions to the President, etc.*—(1) The Board may, by a resolution passed in this behalf, delegate to the President, Vice-President, Chief Executive Officer or Health Officer, subject to such conditions, if any, as may be specified in the resolution, all or any of its functions under clause (b) of sub-section (5) of section 290, section 168, section 170, section 175, section 167, section 263 and section 264.

(2) The civil area committee may, by passing a similar resolution, delegate subject to such conditions, if any, as may be specified in such resolution, all or any of its functions to the Vice-President, Chief Executive Officer or Health Officer.

354. *Registration.*—(1) Paragraphs 2 and 3 of section 54, and section 59, 107 and 123 of the Transfer of Property Act, 1882 (4 of 1882) with respect to the transfer of property by registered instrument, shall, on and from the commencement of this Act, extend to every cantonment.

(2) The Registrar or Sub-Registrar of the district or sub-district formed for the purposes of the Registration Act, 1908 (16 of 1908) in which any cantonment is situated, shall, when any document relating to immovable property

within the cantonment is registered, send information of the registration forthwith to the Chief Executive Officer and the Defence Estates Officer and such other authority as the Central Government may prescribe in this behalf.

355. *Validity of notices and other documents.*—No notice, order, requisition, licence, permission in writing or other such document issued under this Act shall be invalid merely by reason of any defect of form.

356. *Admissibility of document or entry as evidence.*—A copy of any receipt, application, plan, notice, order or other document or of any entry in a register, in the possession of a Board shall, if duly certified by the legal keeper thereof or other person authorised by the Chief Executive Officer in this behalf, be admissible in evidence of the existence of the document or entry, and shall be admitted as evidence of the matters and transactions therein recorded in every case where, and to the same extent to which, the original documents or entry would, if produced, have been admissible to prove such matters.

357. *Evidence by officer or employee of the Board.*—No officer or employee of a Board shall, in any legal proceeding to which the Board is not party, be required to produce any register or document the contents of which can be proved under section 356 by a certified copy, or to appear as a witness to prove any matter or transaction recorded therein save by order of the court made for special cause.

358. *Application of Act 4 of 1899.*—For the purposes of the Government Buildings Act, 1899, cantonments and Boards shall be deemed to be municipalities and municipal authorities respectively and the references to the State Government in section 4 of that Act shall be construed as references to the Central Government.

359. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament.

360. *Repeals and savings.*—(1) The Cantonments Act, 1924 (2 of 1924) is hereby repealed.

(2) Notwithstanding the repeal of the Cantonments Act, 1924, (2 of 1924),—

(a) any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued, and any licence or permission granted under the Act shall, in so far as it is not inconsistent with the provisions of this Act continue in force and be deemed to have been made, issued or granted, under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued or any licence or permission granted under the said provisions;

(b) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the Board shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Board constituted under this Act;

(c) all budget estimates, assessments, valuations, measurements or divisions made by the Board shall in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made under the provisions of this Act unless and until they are superseded by any budget estimate, assessment, valuation, measurement or division made by the Board constituted under the said provisions;

(d) all properties, movable and immovable and all interests of whatsoever nature and kind therein, vested in the Board shall with all rights of whatsoever description, use, enjoyed or possessed by the said Board vest in the Board constituted under this Act;

(e) all rates, taxes, fees, rents and other sums of money due to the Board shall be deemed to be due to the Board constituted under this Act;

(f) all rates, taxes, fees, rents, fares and other charges shall, until and unless they are varied by the Board constituted under this Act, continue to be levied at the same rate at which they were being levied by the Board immediately before the commencement of this Act;

(g) all suits prosecutions and other legal proceedings instituted or which might have been instituted by or against the Board may be continued or instituted by or against the Board constituted under this Act.

SCHEDULE I

(See section 100)

NOTICE OF DEMAND

To

residing at

Taking notice that the Board demands from.....the
 sum of.....due from.....on account
 of.....(here describe the property, occupation, circumstance or thing
 in respect of which the sum is payable) leviable under
 for the period of.....Commencing on the
day of.....20.....and ending on
 the.....day of.....20....., and that if, within
 thirty days from the service of this notice, the said sum is not paid to the
 Board at.....or sufficient cause for non-payment is not
 shown to the satisfaction of the Chief Executive Officer, warrant of distress/
 attachment* will be issued for the recovery of the same with costs.

Dated this.....day of.....20.....

(Signed)

Chief Executive Officer,
 Cantonment.

(*Strike out whichever is not applicable.)

SCHEDULE II

(See section 101)

FORM OF WARRANT

(Here insert the name of the officer charged with the execution of warrant)

Whereas A. B. of..... has not paid, and has not shown satisfactory cause for the non-payment of, the sum ofdue on account of.....*.....for the period of.....commencing on the day of20.....and ending with the.....day of20.....which sum is leviable under.....

And whereas thirty days have elapsed since the service on him of notice of demand for the same.

This is to command you to [distrain/attach#] subject to the provisions of the Cantonments Act, 2006, the [movable/immovable#] property of the said A. B. to the amount of the said sum of Rs.....; and forthwith to certify to me, together with this warrant, all particulars of the property [seized/attached#] by you thereunder.

Dated this.....day of.....20.....

(Signed)

Chief Executive Officer,
Cantonment.

*Here describe the liability.

#Strike out whichever is not applicable.

SCHEDULE III

(See section 103)

FORM OF INVENTORY OF PROPERTY DISTRAINED AND
NOTICE OF SALE

To,

residing at.....

Take notice that I have this day seized the property specified in the inventory annexed hereto, for the value ofdue for the liability* mentioned in the margin for the period commencing with.....day of20..... and ending with the.....day of20....., together with Rs.....due for service of notice of demand, and that, unless within seven days from the date of the service of this notice you pay to the Board the said amount, together with the costs of recovery, the said property will be sold by public auction.

Dated this.....day of.....20.....

(Signature of officer executing the warrant.)

INVENTORY

(Here state particulars of property seized).

*Here describe the liability.

SCHEDULE IV

(See section 314)

CASES IN WHICH POLICE MAY ARREST WITHOUT WARRANT

PART A

<i>Section</i>	<i>Subject</i>
174	Making or selling of food, etc., or washing of clothes, by infected person.
289(1)(a)(i)	Drunkenness, etc.

PART B

183(1)	Remaining in, or re-entering, cantonment after notice of expulsion for failure to attend hospital or dispensary.
259	Destroying, etc., name of street or number affixed to building.
282	Feeding animal on filth, etc.
289(1)(a)(ii)	Using threatening or abusive words, etc.
289(1)(a)(iii)	Indecent exposure of person, etc.
289(1)(a)(iv)	Begging
289(1)(a)(v)	Exposing deformity, etc.
289(1)(a)(vii)	Gaming
289(1)(a)(xii)	Destroying notice, etc.
289(1)(a)(xiii)	Displaces, damages, alters, pavments, gutter, stormwater drain.
289(1)(f)	Keeping common gaming-house, etc.
289(1)(g)	Beating drum, etc.
289(1)(h)	Singing, etc., so as to disturb public peace or order.
290(6)	Setting loose, or setting on, ferocious dog.
296	Discharging fire-arms, etc., so as to cause danger.
300	Loitering or importuning for sexual immorality.
304(a)	Remaining in, or returning to, a cantonment after notice of expulsion.

SCHEDULE V
(See section 340)

APPEALS FROM EXECUTIVE ORDERS

<i>Sl No.</i>	<i>Section</i>	<i>Executive Order</i>	<i>Appellate Authority</i>	<i>Time allowed for appeal</i>
(1)	(2)	(3)	(4)	(5)
1	2(zc)	Declaring 'inhabitant	District Magistrate	Fifteen days
2	137	Notice to fill up well, tank, etc., or to drain off or remove water.	Principal Director	Thirty days from service of notice.
3	138	Notice requiring the owner to provide latrine, urinal, cesspool dust-bin or other receptacle.	Board	Fifteen days from service of notice.
4	139	Notice requiring provision of sanitary facilities in market, school, theatre, or other place of public resort.	Board	Fifteen days from service of notice.
5	142	Notice for removal of congested building.	General Officer Commanding-in-Chief, the Command	Thirty days from service of notice.
6	144	Notice requiring a building to be required or altered so as to remove sanitary defects.	Principal Director	Thirty days from service of notice.
7	147	Notice prohibiting owner or occupier to use a building or part of a building for human habitation.	Principal Director	Twenty-one days from service of notice.
8	183	Order directing a person to remove from the Cantonment and prohibiting him from re-entering it without permission.	General Officer Commanding-in-Chief, the Command	Thirty days from service of notice.

(1)	(2)	(3)	(4)	(5)
9	190	Notice requiring maintenance or closing of private source of public drinking water supply.	Board	Fifteen days from service of notice.
10	192	Notice requiring the owner, lessee or occupier of a building or land to obtain water from a source of public water supply.	Board	Fifteen days from service of notice.
11	195	Notice for cutting off the connection between any source of public water supply and any building or land to which water is supplied.	Board	Fifteen days from service of notice.
12	238	(a) Refusal to sanction the erection or re-erection of a building in a civil area.	Principal Director	Thirty days from service of communication
		(b) Refusal to sanction the erection or re-erection of a building in a Cantonment (Other than a civil area).	General Officer Commanding-in-Chief, the Command	Thirty days from service of communication
13	239	Order of stoppage of building or works in certain cases.	Board	Thirty days from service of communication
14	248	(a) Notice to stop erection or re-erection of, or to alter or demolish, a building in a civil area.	Principal Director	Thirty days from service of communication.
		(b) Notice to stop erection or re-erection of, or to alter or demolish, a building in a Cantonment (Other than a civil area).	General Officer Commanding-in-Chief, the Command	Thirty days from service of communication.

(1)	(2)	(3)	(4)	(5)
15.	252	Notice requiring the owner or the occupier to alter or remove any projection or encroachment.	Board	Thirty days from service of notice.
16.	253	Notice to pull down or otherwise deal with a building newly erected or re-built without permission over a sewer, drain, culvert, water course or water pipe.	Board	Thirty days from service of notice.
17.	273	Notice prohibiting or restricting the use of a slaughter-house.	Board	Twenty-one days from service of notice.
18.	297	Notice to remove, repair, protect, or enclose a building, wall or anything affixed thereto, or well, tank, reservoir, pool, depression or excavation.	Board	Thirty days from service of notice.
19.	302	Notice directing disorderly person to remove from cantonment and prohibiting him from re-entering it without permission.	District Magistrate	Thirty days from service of notice.